



# House of Representatives

General Assembly

**File No. 575**

January Session, 2013

Substitute House Bill No. 6518

*House of Representatives, April 18, 2013*

The Committee on Public Health reported through REP. JOHNSON of the 49th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING STANDARDS OF PROFESSIONAL CONDUCT FOR EMERGENCY MEDICAL SERVICE PERSONNEL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-206nn of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective October 1, 2013*):

3 The Commissioner of Public Health may take any disciplinary  
4 action set forth in section 19a-17 against a paramedic, emergency  
5 medical technician or advanced emergency medical technician for any  
6 of the following reasons: (1) Failure to conform to the accepted  
7 standards of the profession; (2) conviction of a felony; (3) fraud or  
8 deceit in obtaining or seeking reinstatement of a license to practice  
9 paramedicine or a certificate to practice as an emergency medical  
10 technician; (4) fraud or deceit in the practice of paramedicine or the  
11 provision of emergency medical services; (5) negligent, incompetent or  
12 wrongful conduct in professional activities; (6) physical, mental or  
13 emotional illness or disorder resulting in an inability to conform to the  
14 accepted standards of the profession; (7) alcohol or substance abuse;

15 (8) wilful falsification of entries in any hospital, patient or other health  
16 record; or (9) violation of any provision of section 20-206jj or any  
17 regulations adopted pursuant to section 20-206oo. The commissioner  
18 may order a license or certificate holder to submit to a reasonable  
19 physical or mental examination if his or her physical or mental  
20 capacity to practice safely is the subject of an investigation. The  
21 commissioner may petition the superior court for the judicial district of  
22 Hartford to enforce such order or any action taken pursuant to section  
23 19a-17. The commissioner shall give notice and an opportunity to be  
24 heard on any contemplated action under said section 19a-17.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2013</i>	20-206nn
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**PH**            *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

There is no fiscal impact to the Department of Public Health (DPH) from the inclusion of certain emergency medical service personnel for whom DPH may take disciplinary action as the agency currently does so under authority provided by DPH regulation.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sHB 6518*****AN ACT CONCERNING STANDARDS OF PROFESSIONAL CONDUCT FOR EMERGENCY MEDICAL SERVICE PERSONNEL.*****SUMMARY:**

This bill expands the grounds upon which the Department of Public Health (DPH) commissioner can take disciplinary action against emergency medical technicians (EMTs) or advanced EMTs. It allows her to take action against them for the same conduct for which she may already discipline paramedics, such as felony convictions, alcohol or drug abuse, and negligence in professional activities.

By law, EMTs and advanced EMTs must be certified by DPH.

EFFECTIVE DATE: October 1, 2013

**DPH DISCIPLINE OF EMTS**

The bill expands the allowable grounds for DPH to discipline EMTs and advanced EMTs to include:

1. failure to conform to accepted professional standards;
2. felony conviction;
3. fraud or deceit in obtaining or reinstating a certificate to practice;
4. fraud or deceit in practice;
5. negligent, incompetent, or wrongful conduct in professional activities;
6. physical, mental, or emotional illness or disorder resulting in an inability to conform to accepted professional standards;

7. alcohol or substance abuse;
8. willful falsification of entries in medical records; or
9. violation of the paramedicine law or regulations (see COMMENT).

Existing law allows the DPH commissioner to discipline emergency medical services (EMS) professionals (including EMTs or advanced EMTs) who fail to maintain standards or violate applicable EMS regulations (CGS § 19a-180(b)). Existing DPH regulations allow the commissioner to take specified disciplinary actions against EMS professionals she determines substantially failed to comply with the EMS law or regulations or failed to maintain professional standards (Conn. Agency Regs. § 19a-179-15(a)).

By law, the possible disciplinary actions DPH can take include:

1. suspending or revoking the person's certification,
2. issuing a letter of reprimand to or censuring the person,
3. placing him or her on probation,
4. assessing a civil penalty of up to \$25,000, or
5. taking summary action against the certification if the person has been found guilty of a state or federal felony or subject to disciplinary action in another jurisdiction.

Under the bill, DPH can petition the Hartford Superior Court to enforce any such orders or actions against EMTs or advanced EMTs. It must give the person notice and an opportunity for a hearing.

The bill allows the commissioner to order a certificate holder to undergo a reasonable physical or mental examination if his or her physical or mental capacity to practice safely is under investigation.

#### **COMMENT**

The bill allows the DPH commissioner to discipline EMTs for violations under the statutory definition of paramedicine. By law and regulation, paramedics are authorized to perform certain actions that are beyond the scope of practice of certain levels of EMT certification.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 26      Nay 1      (04/05/2013)